

CAUSE NO. \_\_\_\_\_

ALFRED LEE and  
SHELLY LEE§  
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IN THE DISTRICT COURT OF

V.

HARRIS COUNTY, TEXAS

ILM TRANSPORTATION, INC. and  
TUHTABOY DUMMATOV

\_\_\_\_\_ JUDICIAL DISTRICT

**PLAINTIFFS' ORIGINAL PETITION**

TO THE HONORABLE COURT:

COME NOW, ALFRED LEE and SHELLY LEE, Plaintiffs, complaining of ILM TRANSPORTATION, INC., and TUHTABOY DUMMATOV, Defendants, and at the time of trial will show the following:

**I. Discovery**

Plaintiffs intend to conduct discovery under Level 2 of Rule 190.3, Texas Rules of Civil Procedure.

**II. Parties**

Plaintiff, Alfred Lee, is an individual residing in Baton Rouge, East Baton Rouge Parish, Louisiana. The last three digits of his Social Security number are 651.

Plaintiff, Shelly Lee, is an individual residing in Baton Rouge, East Baton Rouge Parish, Louisiana. The last three digits of her Social Security number are 303.

Defendant, ILM Transportation, Inc. is a corporation organized under the laws of Pennsylvania. Pursuant to Texas Civil Practice & Remedies Code §17.061, et seq., Defendant can be served with process herein by serving certified copies of the petition and citation on the chairman of the Texas Transportation Commission, J. Bruce Bugg, Jr., at 125 E. 11<sup>th</sup> St., Austin, Texas 78701. It is requested that the chairman immediately mail, by certified or registered mail, certified copies of the petition and citation, along with notice that the process has been served on the chairman, to Defendant's registered agent, Ilhom Hudoykulov, 521 Avon Street, Philadelphia, Pennsylvania 19116-3324.

**EXHIBIT A**

Defendant, Tuhtaboy Dummatov, is an individual residing in Philadelphia County, Pennsylvania. Pursuant to Texas Civil Practice & Remedies Code §17.061, et seq., Defendant can be served with process herein by serving certified copies of the petition and citation on the chairman of the Texas Transportation Commission, J. Bruce Bugg, Jr., at 125 E. 11<sup>th</sup> St., Austin, Texas 78701. It is requested that the chairman immediately mail, by certified or registered mail, certified copies of the petition and citation, along with notice that the process has been served on the chairman, to Defendant at his residence, 8020 Algon Avenue, Philadelphia, Pennsylvania 19152.

### **III. Venue**

Venue is appropriate in Harris County, Texas, because it is the county in which the incident made the basis of this suit occurred.

### **IV. Jurisdiction**

This court has jurisdiction over the subject matter of this lawsuit because the amount in controversy is within the jurisdictional limits of this court.

### **V. Statement of Facts**

This lawsuit arises from a motor-vehicle wreck that occurred on or about July 4, 2018, in Harris County, Texas. Plaintiff, Alfred Lee, was driving his vehicle eastbound in the far left lane of East Freeway in Houston, Texas. Plaintiff, Shelly Lee, was riding as a passenger. Defendant, Tuhtaboy Dummatov, who was operating a tractor-trailer rig, was also driving eastbound on the East Freeway, directly behind Plaintiffs' vehicle. Defendant failed to control his speed and rear-ended Plaintiffs' vehicle.

### **VI. Cause of Action**

The injuries and damages sustained by Plaintiffs, which are made the basis of this suit, were proximately caused by the negligent acts of omission and commission of Defendants. At all times material herein, Defendant Dummatov was acting within the course and scope of his employment by or agency for Defendant, ILM Transportation, Inc., which is responsible for his conduct under the theories of *respondeat superior* or agency.

## **VII. Damages**

As a result of this incident, Plaintiffs sustained serious injuries that required medical treatment and in all likelihood will require additional medical treatment in the future. Plaintiffs seek to recover all medical expenses incurred as a proximate result of this incident for necessary medical treatment rendered, as well as for all such medical expenses incurred in the future.

Additionally, at the time of the occurrence made the basis of this suit, Plaintiffs were working and earning wages. Accordingly, Plaintiffs seek recovery for their lost wages and loss of wage earning capacity, both in the past and in the future.

Furthermore, Plaintiffs seek to recover for the pain and suffering, mental anguish, physical impairment, and physical disfigurement sustained in the past, and which they will likely suffer in the future.

Accordingly, Plaintiffs are entitled to and herein now sue for a just and reasonable sum that exceeds the minimum jurisdictional limits of this Court. Pursuant to the requirements of Rule 47, Tex. R. Civ. Proc., Plaintiffs affirmatively plead for monetary relief over \$1,000,000.

## **VIII. Interest**


Plaintiffs seek prejudgment and post-judgment interest as permitted by law.

## **PRAYER**

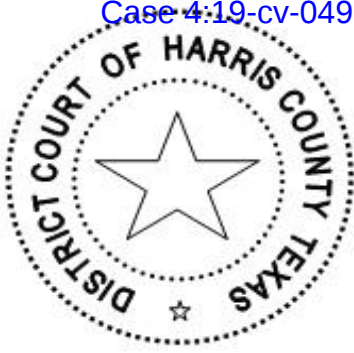
Plaintiffs pray that defendants be cited to appear and answer herein, and that upon final trial of this matter they have judgment against defendants, both jointly and severally, for actual damages, prejudgment and post-judgment interest, costs of court and all other remedies, both at law and at equity, to which this court finds them to be justly entitled.

Respectfully submitted,

TERRY BRYANT PLLC

By:   
Terry Bryant  
State Bar No. 03274300  
Gregg Anderson  
State Bar No. 01186200  
Email: [gregg@terrybryant.com](mailto:gregg@terrybryant.com)  
8584 Katy Freeway, Suite 100  
Houston, Texas 77024  
Tel: (713) 830-7083  
Fax: (713) 973-1188

ATTORNEYS FOR PLAINTIFFS



I, Marilyn Burgess, District Clerk of Harris County, Texas certify that this is a true and correct copy of the original record filed and or recorded in my office, electronically or hard copy, as it appears on this date.

Witness my official hand and seal of office this December 11, 2019

Certified Document Number: 86410595 Total Pages: 4

Marilyn Burgess, DISTRICT CLERK  
HARRIS COUNTY, TEXAS

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